

PATENT  
Attorney Docket No.: 9D-HR-19571

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Daum et al.	:	Group No.: 2632
Serial No.:	09/747,442	:	Examiner: Sihong Huang
Filed:	December 26, 2000	:	
For:	METHOD AND APPARATUS FOR INTERFACING A POWER LINE CARRIER AND AN APPLIANCE		

**Mail Stop: AMENDMENT**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**TRANSMITTAL**

1. Transmitted herewith is:
  - Response to Office Action (Restriction Requirement) dated July 26, 2004 (2 pgs.)
  - Restriction Response Transmittal (3 pgs.)
  - Certificate of Facsimile Transmission (1 pg.)

**STATUS**

2. Applicant
 

claims small entity status.  
 is other than a small entity.

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8a)**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**  
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 1450, Alexandria, VA 22313-1450.

Date: \_\_\_\_\_

**FACSIMILE**  
 transmitted by facsimile to the Patent and  
 Trademark Office to fax number (703) 872-9306.

  
 Thomas M. Fisher, Reg. 47,564

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## ARMSTRONG TEASDALE LLP

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CERTIFICATE OF FACSIMILE TRANSMISSION TO THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

DATE: August 25, 2004

<b>TO:</b> Examiner: Sihong Huang	<b>RE:</b> U.S. Patent Application
<b>Art Unit:</b> 2632	<b>Serial No.:</b> 09/747,442
<b>Fax:</b> (703) 872-9306	<b>Applicant:</b> Daum et al.
<b>From:</b> Thomas M. Fisher	<b>Atty. Dkt. No.:</b> 9D-HR-19571

## DOCUMENTS SUBMITTED WITH TRANSMISSION:

- *Restriction Response Transmittal (3 pgs.)*
- *Response to Office Action (Restriction Requirement) dated July 26, 2004 (2 pgs.)*
- *Certificate of Facsimile Transmission (1 pg.)*

*Total pages including cover page: 6  
If all pages are not received, please contact: Laura Davis at Ext. 7923*

**RE: The above referenced U.S. Patent Application****Title: METHOD AND APPARATUS FOR INTERFACING A POWER LINE CARRIER AND AN APPLIANCE****Filed: December 26, 2000****AT File No. 13307-170**

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that these papers are being facsimile transmitted to the U.S. Patent and Trademark Office, Facsimile Number (703) 872-9306 on the date shown below.

Date: August 25, 2004
  
 Thomas M. Fisher  
 Reg. No. 47,564

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**\*IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CONTACT US IMMEDIATELY AT (314) 621-5070.**

## **EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

(a)  Applicant petitions for an extension of time under 37 C.F.R. 1.136  
(Fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

Extension for response within:	Other than small entity Fee	Small entity Fee (if applicable)
First month	\$ 110.00	\$ 55.00
Second month	\$ 400.00	\$ 200.00
Third month	\$ 920.00	\$ 460.00
Fourth month	\$1,440.00	\$ 720.00
Fifth month	\$1,960.00	\$ 980.00

Fee: \$

If an additional extension of time is required, please consider this a petition therefor.

*(Check and complete the next item, if applicable)*

— An extension of \_\_\_\_ months has already been secured. The fee paid therefor \$ \_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

**Extension fee due with this request \$** \_\_\_\_\_.

OR

(b)  Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

**FEE FOR CLAIMS**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		SMALL ENTITY		OTHER THAN SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA		ADDITIONAL RATE FEE OR		ADDITIONAL RATE FEE	
TOTAL INDEP.	MINUS	MINUS		=		x \$9 = \$		x \$18 = \$	
				=		x \$42 = \$		x \$84 = \$	
— FIRST PRESENTATION OF MULTIPLE DEP. CLAIM		+ \$130 = \$		+ \$280 = \$					
				TOTAL ADDITIONAL FEE \$		OR	TOTAL ADDITIONAL FEE \$		

(a)  No additional fee for Claims is required

OR

(b)  Total additional fee for claims required \$

**FEE PAYMENT**

5.  Attached is a check in the sum of \$\_\_\_\_\_

Charge Deposit Account No. 01-2384 the sum of \$\_\_\_\_\_,  
A duplicate of this transmittal is attached.

**FEE DEFICIENCY**

6.  If any additional extension and/or fee is required, charge Deposit Account No. 01-2384.

AND/OR

If any additional fee for claims is required, charge Deposit Account No. 01-2384.

7.  Other:

  
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Applicant: Daum et al. : Art Unit: 2632  
Serial No.: 09/747,442 : Examiner: Sihong Huang  
Filed: December 26, 2000 :  
For: METHOD AND APPARATUS FOR :  
INTERFACING A POWER LINE :  
CARRIER AND AN APPLIANCE :  
:

## RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop: Amendment  
Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated July 26, 2004, Applicants elect for prosecution in this application all claims that belong to Group I, i.e., claims 1-15.

Reconsideration of the restriction requirement imposed under 35 U.S.C. §121 is respectfully requested.

A restriction to one of invention I, consisting of claims 1-15, drawn to a communication interface, classified in class 340 subclass 310.01, and invention II, consisting of claims 16-20, drawn to a power line diagnostic module, classified in class 340, subclass 657 was imposed. In response, Applicants elect with traverse to prosecute the invention of Group I, claims 1-15.

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The requirement for election is traversed because the inventions set out by the claims in Groups I and II are clearly related. Applicants note that both the cited Claim Groups each fall within Class 340, and submit that a thorough search and examination of one Group would be relevant to the examination of the other Group and would not be a serious burden on the Examiner. Additionally, requirements for election are not mandatory under 35 U.S.C. §121. Accordingly, reconsideration of the election requirement is requested.

Respectfully Submitted,



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